

**REMARKS**

This Amendment is in response to the Office Action mailed April 6, 2007. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

***Rejection Under 35 U.S.C. § 103***

Claims 2-11 and 13-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Patel (U.S. Patent No. 6,327,660) in view of a publication by Hugo Krawczyk entitled “New Hash Functions for Message Authentication.” Applicant respectfully traverses the rejection because Patel does not constitute prior art.

Herein, the Office Action uses Patel as prior art references under 35 U.S.C. §103(a). However, 35 U.S.C. §103(c) excludes references which may qualify as prior art under 35 U.S.C. § 102(e), (f), and (g) from being used as a prior art reference under 35 U.S.C. §103(a). The text of 35 U.S.C. §103(c) recites that “[s]ubject matter developed by another person, which qualifies as prior art under one or more of subsections (e), (f) and (g) of section 102 of this title, shall *not* preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.” *Emphasis added; See 35 U.S.C. §103(c), MPEP 706.02(I)(1).*

Herein, the subject application has been assigned to Intel Corporation (Reel 010412 / Frame 0845) with an effective filing date of November 22, 1999. The subject application predates the December 4, 2001 issue date of Patel. Patel is a U.S. patent that also has been assigned to Intel Corporation (Reel 009469 / Frame 0576). The recordation of the assignment was on September 18, 1998. At the time of filing, both Patel and the claimed invention set forth in the subject application were subject to an obligation of assignment.

Therefore, Applicants respectfully request that the Examiner withdraw this outstanding rejection of claims 2-11 and 13-19 under 35 U.S.C. §103(a).

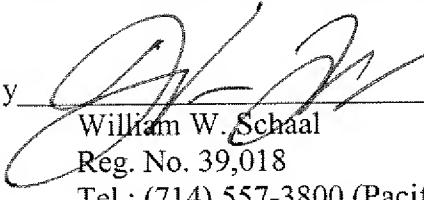
***Conclusion***

Applicant reserves all rights with respect to the applicability of the doctrine of equivalents. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,  
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